

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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BENJAMIN CAREATHERS,	:
individually, and on behalf of all others	:
similarly situated,	:
	:
Plaintiff,	:
	:
	:
- against -	:
	:
RED BULL NORTH AMERICA, INC.,	:
a California corporation,	:
	:
Defendant.	:
	:
-----	:
DAVID WOLF and MIGUEL	:
ALMARAZ, individually and on behalf of	:
others similarly situated,	:
	:
Plaintiffs,	:
	:
v.	:
	:
RED BULL GMBH, a foreign company;	:
RED BULL NORTH AMERICA, INC., a	:
California corporation; and RED BULL	:
DISTRIBUTION COMPANY, INC., a	:
Delaware corporation,	:
	:
Defendants.	:
	:
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**PLAINTIFFS' NOTICE OF JOINT MOTION
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

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*Attorneys for Plaintiffs David Wolf and
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PLEASE TAKE NOTICE THAT upon the accompanying Plaintiffs' Memorandum of Law in Support of Joint Motion for Preliminary Approval of Class Action Settlement with Red Bull North America, Inc., Red Bull Distribution Company, Inc., and Red Bull GmbH, the concurrently filed Stipulation of Settlement with exhibits, and all prior proceedings had herein, Plaintiff Benjamin Careathers, individually and on behalf of himself and each of the Settlement Class Members, by and through Class Counsel authorized to settle *Careathers v. Red Bull North America, Inc., et al*, Case No. 1:13-CV-0369 (S.D.N.Y) (the "New York Action") on their behalf, and Plaintiffs David Wolf and Miguel Almaraz, individually and on behalf of themselves and each of the Settlement Class Members, by and through Class Counsel authorized to settle *Wolf v. Red Bull GmbH, et al.*, originally filed in the Central District of California, Case No. CV 13-01444 but subsequently transferred and consolidated with the New York Action (collectively "Plaintiffs") will, and hereby do, jointly move this Court pursuant to Rule 23 of the Federal Rules of Civil Procedure for an Order substantially in the form of the [Proposed] Order Granting Preliminary Approval of Class Action Settlement:¹ (1) conditionally certifying the settlement class; (2) granting preliminary approval of the proposed settlement; (3) approving the proposed notice program and directing that notice be disseminated to the Settlement Class as provided in the Stipulation; (4) appointing Benjamin Careathers, David Wolf and Miguel Almaraz as class representatives and Morelli Alters Ratner P.C./P.A. and Kaplan Fox & Kilsheimer LLP as Class Counsel; and (5) appointing Garden City Group as the Class Action Settlement Administrator.

¹ The Proposed Order is attached as a sub-exhibit to Exhibit 1 of the concurrently filed Declaration of Matthew T. Moore, Esq. in support of Plaintiffs' Memorandum of Law.

This motion is based on this Notice of Joint Motion, the accompanying Memorandum of Law, the concurrently filed proposed Stipulation of Settlement (and accompanying exhibits), and all papers and records on file in this matter.

Dated: New York, New York
July 31, 2014

Respectfully,

By: /s/ Benedict P. Morelli
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CERTIFICATE OF SERVICE

The undersigned, an attorney admitted to practice law before this Court, hereby certifies under penalty of perjury that on July 31, 2014, I caused a true copy of the foregoing Notice Of Joint Motion for Preliminary Approval of Class Action Settlement to be filed and served via the Court's CM/ECF electronic filing system and same was thereby served upon counsel for Defendant:

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/s David S. Ratner

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